

REMARKS

In the Office Action mailed December 4, 2008¹, the Examiner:

rejected claims 1, 18, 46, and 47 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Application Publication No. 2003/0083040 to Ruth et al. ("*Ruth*") in view of U.S. Patent No. 6,996,227 to Albal et al. ("*Albal*");

rejected claims 2-6, 8-11, 13-17, 19-22, 24-35, 37-45, and 50-52 under 35 U.S.C. § 103(a) as unpatentable over *Ruth* in view of *Albal* and further in view of U.S. Patent Application Publication No. 2003/0112928 to Brown et al. ("*Brown*"); and

rejected claims 7 and 49 under 35 U.S.C. § 103(a) as unpatentable over *Ruth*, *Brown* and *Albal*, and further in view of U.S. Patent Publication No. 2003/0069874 to Hertzog et al ("*Hertzog*").

By this Amendment, Applicants have amended claims 1, 2, 11, 18, 20, 27, 46, 47, and 50. Claims 1-11, 13-22, 24-35, 37-47, and 49-52 are pending. Support for the amendment can be found in the application, as filed.

I. The Rejection of Claims 1, 18, 46, and 47 under 35 U.S.C. § 103(a)

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 18, 46, and 47 under 35 U.S.C. § 103(a). A *prima facie* case of obviousness has not been established with respect to these claims.

A. Claims 1 and 46

Claim 1 recites a method for logging calls comprising, *inter alia*: "receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to certain requirements applicable to such rejections (e.g., whether a reference constitutes prior art, or motivation to combine references) is not a concession by Applicants that such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” (emphasis added).

Ruth discloses a method for logging call information associated with a representative sampling of calls from mobile terminals (*Ruth*, abstract and ¶ 7). In *Ruth*’s method, a mobile terminal identifier (IMSI) associated with each call is hashed to generate a hash value, and the hash value is compared to predetermined logging criteria to determine whether to log each call (*Ruth*, abstract and ¶ 7). The logging criteria may indicate that when the hash value is less than, greater than, or equal to a predetermined number, the call should be logged (*Ruth*, ¶ 7).

However, a mobile terminal identifier such as an IMSI is not a phone number. Further, *Ruth* does not disclose that the user specifies the IMSI. Instead, as discussed above, *Ruth*’s criteria merely specify what hash values for the IMSI should result in logging a given call, and if the hash value for a given IMSI happens to meet the criteria, the call is logged (*Ruth*, abstract and ¶ 7). Thus, *Ruth*’s users do not specify phone numbers that should be excluded from the log, whether by identifying particular hash values or otherwise. For these reasons, *Ruth* does not teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

Albal fails to cure these deficiencies of *Ruth*. *Albal* discloses storing information in an address book by creating records of telephone calls, and determining if the records match telephone numbers in the address book (*Albal*, abstract). However, while the user can update or change the content in the address book (*Albal*, col. 4, lines

25-27), *Albal* does not indicate that whether or not the records are stored is based on whether the calls were to a user-specified phone number. Therefore, *Albal* also does not teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established for independent claim 1. Independent claim 46, while of different scope, recite features similar to those of claim 1 and is thus allowable over *Ruth* and *Albal* for reasons similar to those discussed above in regard to claim 1.

B. Claims 18 and 47

Claim 18 recites a method for logging calls comprising, *inter alia*: “receiving, from the user, instructions that specify filter settings ... specific to each of the plurality of source communication devices associated with the user” (emphasis added).

As previously discussed, *Ruth* discloses a method for logging call information associated with a representative sampling of calls from mobile terminals (*Ruth*, abstract and ¶ 7). *Ruth* also discloses that call processing can be distributed across many different call processing entities, and that one call processing entity can notify other processing entities of call ID’s that should be logged so that not every processing entity has to hash the call ID (*Ruth*, ¶¶ 3 and 27). However, *Ruth* does not disclose that a user of several mobile terminals provides filter settings for each mobile terminal. Therefore, *Ruth* does not teach or suggest “receiving, from the user, instructions that specify filter settings ... specific to each of the plurality of source communication

devices associated with the user” as recited by independent claim 18 (emphasis added).

As previously discussed, *Albal* discloses storing information in an address book by creating records of telephone calls, and determining if the records match telephone numbers in the address book (*Albal*, abstract). However, while the user can update or change the content in the address book (*Albal*, col. 4, lines 25-27), *Albal* does not disclose or suggest that the records are stored based on device-specific filter settings, or that users provide such device-specific filter settings. Therefore, *Albal* also does not teach or suggest “receiving, from the user, instructions that specify filter settings ... specific to each of the plurality of source communication devices associated with the user” as recited by independent claim 18 (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established for independent claim 18. Independent claim 47, while of different scope, recites features similar to those of claim 18 and is thus allowable over *Ruth* and *Albal* for reasons similar to those discussed above in regard to claim 18.

II. The Rejection of Claims 2-6, 8-11, 13-17, 19-22, 24-35, 37-45, and 50-52 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the Examiner’s rejection of claims 2-6, 8-11, 13-17, 19-22, 24-35, 37-45, and 50-52 under 35 U.S.C. § 103(a). A *prima facie* case of obviousness has not been established with respect to these claims.

A. Claims 2-6, 8-11, 13-17, 27-35, 37-45, 50, and 51

Independent claim 27, although of different scope than claim 1, recites features similar to those set forth above with respect to claim 1. Claims 2-6, 8-11, 13-17, 50, and 51 depend from claim 1, and claims 28-35 and 37-45 depend from claim 27. As

discussed above with respect to claim 1, *Ruth* and *Albal* fail to teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

Brown fails to cure the deficiencies of *Ruth* and *Albal*. *Brown* discloses a method, system, and program for logging calls according to a call context (*Brown*, abstract), and entities can specify “logging preferences” related to call context (*Brown*, ¶ 155). However, *Brown* does not teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

For these reasons, no *prima facie* case of obviousness has been established with respect to claims 2-6, 8-11, 13-17, 27-35, 37-45, 50, and 51. Accordingly, Applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2-6, 8-11, 13-17, 27-35, 37-45, 50, and 51.

B. Claims 19-22, 24-26, and 52

Claims 19-22, 24-26, and 52 depend from independent claim 18. As discussed above with respect to claim 18, *Ruth* and *Albal* fail to teach or suggest the claimed “receiving, from the user, instructions that specify filter settings ... specific to each of the plurality of source communication devices associated with the user” as recited by independent claim 18 (emphasis added).

Brown fails to cure these deficiencies of *Ruth* and *Albal*. As discussed, *Brown* discloses a method, system, and program for logging calls according to a call context

(*Brown*, abstract), and entities can specify “logging preferences” related to call context (*Brown*, ¶ 155). However, while *Brown* indicates the call context can include device identities (*Brown*, ¶ 39) *Brown* does not disclose or suggest device-specific logging preferences. Therefore, *Brown* fails to render obvious the claimed “receiving, from the user, instructions that specify filter settings ... specific to each of the plurality of source communication devices associated with the user” (emphasis added) as recited by independent claim 18.

For these reasons, no *prima facie* case of obviousness has been established with respect to claims 19-22, 24-26, and 52. Accordingly, Applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 19-22, 24-26, and 52.

III. The Rejection of Claims 7 and 49 under 35 U.S.C § 103(a)

Applicants respectfully traverse the Examiner’s rejection of claims 7 and 49 under 35 U.S.C. § 103(a) as being unpatentable over *Ruth* and *Albal* in view of *Brown*. A *prima facie* case of obviousness has not been established with respect to these claims.

Claims 7 and 49 depend from claim 1. As discussed above, *Ruth*, *Albal*, and *Brown* fail to teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

Hertzog discloses a database of personal contact information that allows a user to dictate preferences for when their associated contact information is valid (*Hertzog*, abstract). However, *Hertzog* does not disclose or suggest allowing a user to specify a number, where phone calls to the specified number are excluded from a call log.

Therefore, *Hertzog* also fails to teach or suggest “receiving, from a user, instructions that specify filter settings for logging outgoing calls, wherein the instructions received from the user specify a phone number and phone calls to the specified phone number are to be excluded from a call log” as recited by independent claim 1 (emphasis added).

For these reasons, no *prima facie* case of obviousness has been established with respect to claims 7 and 49. Accordingly, Applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 7 and 49.


IV. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

If there is any fee due in connection with the filing of this Reply, please charge the fee to our Deposit Account No. 06-0916. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made, the fee for which should be charged to the herein-identified deposit account.

Respectfully submitted,

Dated: March 3, 2009

By: 
Philip J. Hoffmann
Reg. No. 46,340